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OFFICE OF PETITIONS

In re Application of
Turner et al.
Application No. 09/714,882
Filed: November 16, 2000
Attorney Docket No. LEX-0091-USA

DECISION ON PETITION


This is a decision on the petition under 37 CFR §1.137(b), filed January 4, 2005 (certificate of mailing December 27, 2004), to revive the above-identified application.

This above-identified application became abandoned for failure to timely file a proper response after the Board of Patent Appeals and Interferences rendered a decision on September 24, 2004. Pursuant to 37 CFR §1.197 petitioner could file a single request for rehearing within two (2) months of the original Board decision. Petitioner could have filed an appeal to a Court or a civil action. Petitioner failed to do so. Accordingly, this application became abandoned on November 25, 2004. A Notice of Abandonment was mailed on December 20, 2004.

The requirements for the filing of a grantable petition under 37 CFR §1.137(b) have been met. This petition is hereby **Granted**.

This application is being revived for purposes of continuity only and since continuity has been established by this decision reviving the application, the application is again abandoned in favor of the Continuation Application No. 11/023,060 filed on December 27, 2004.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.


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Office of Petitions